

TENNESSEE REGULATORY AUTHORITY



Deborah Taylor Tate, Chairman
Pat Miller, Director
Sara Kyle, Director
Ron Jones, Director

460 James Robertson Parkway
Nashville, Tennessee 37243-0505

May 13, 2004

Mr. Guy Hicks
BellSouth Telecommunications, Inc.
333 Commerce Street, Suite 2102
Nashville, TN 37201-3300

Re: Complaint of Planet Connect Against BellSouth
TRA Docket No. 04-00131

Dear Mr. Hicks:

Enclosed please find a letter filed by Planet Connect on April 29, 2004, alleging a Complaint against BellSouth Telecommunications, Inc. Consistent with TRA Rule 1220-1-2-.03 please provide a response to this Complaint within thirty days, or no later than June 14, 2004.

Should you have any questions, please do not hesitate to contact me at 615-741-2904, Ext 170.

Very truly yours,

J. Richard Collier
General Counsel

c: Evan B. McKinley, Planet Connect
Docket File No. 04-00131

Enclosure

RECEIVED

WEBSITE: www.planetc.com
E-MAIL: info@planetc.com
E-MAIL: support@planetc.com
VOICE: 423-623-8300
FAX: 423-623-8751



PAID T.R.A.	
Chk #	10856
Amount	25.00
Payd By	AR
4-23-04	

April 19, 2004

Ms Deborah Taylor Tate , Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505
1-800-342-8359

04-00131

Dear Chairman Tate:

I am employed by Planet Connect in Newport selling our Internet access services which include DSL, wireless, and dial-up. BellSouth wholesales (resells) their DSL to ISDN-Net in Nashville who then sells it to Planet Connect.

A Morristown business wants our DSL service but I am not allowed to sell it DSL, even though it's in an area with BellSouth DSL access, because the business is not a BellSouth customer. The business switched last August from BellSouth to AT&T for phone service.

I was told if the business would switch back to BellSouth for phone service, then it could have DSL but not while it stayed with AT&T. This business does not like BellSouth and refuses to go back to them.

U S District Judge Joseph M Hood in Frankfort, KY has ruled BellSouth cannot refuse DSL Internet access to a competitor's customers in KY, IN, and TN. The judge's ruling upheld a decision by your TRA counterpart, the Kentucky Public Service Commission, against BellSouth.

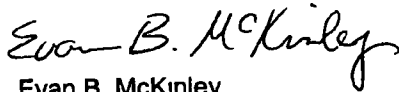
Therefore, BellSouth is in violation of both the KPSC decision and the U.S. District Court ruling by refusing DSL Internet access for this Morristown business with AT&T phone service.

VOUCHER NO. 777387819
CC/10856 SRC. 281.03
AMT. REC. 25.00
DEPOSIT DATE 4/23/04

I look forward to soon hearing that the TRA will require BellSouth to let Tennessee homes and businesses have the same DSL freedoms and choices as KY and IN citizens.

If you need any more information from me, please let me know. Thank you for your time and consideration in this matter.

Sincerely,



Evan B. McKinley
Systems Consultant
Planet Connect
E-Mail Highspeed@planetc.com
Office 423-623-8300
Cell 423-748-8300

TENNESSEE REGULATORY AUTHORITY

Deborah Taylor Tate, Chairman
Pat Miller, Director
Sara Kyle, Director
Ron Jones, Director



460 James Robertson Parkway
Nashville, Tennessee 37243-0505

May 13, 2004

Mr. Evan B. McKinley
Systems Consultant
Planet Connect
1065 Cosby Highway
Newport, TN 37821

Re: Complaint Against BellSouth Concerning Denial of DSL Service
TRA Docket No. 04-00131

Dear Mr. McKinley:

This letter will acknowledge receipt of your letter dated April 19, 2004 to the Tennessee Regulatory Authority (TRA) asserting a complaint against BellSouth Telecommunications, Inc. (BellSouth). Your letter states that Planet Connect in Newport, Tennessee, has been denied the opportunity to provide DSL to a Morristown business because of a refusal on the part of BellSouth to offer DSL to Planet Connect.

Please be advised that the TRA has docketed your letter as a complaint against BellSouth and is providing to BellSouth a copy of Planet Connect's complaint. Pursuant to TRA rules, BellSouth must file a response within 30 days, or no later than June 14, 2004. Attached is a copy of the TRA's notification letter to BellSouth.

Should you have any questions, please do not hesitate to contact me at 615-741-2904, Ext. 170.

Very truly yours,

A handwritten signature in cursive script that reads "J. Richard Collier".

J. Richard Collier
General Counsel

c: Docket File No. 04-00131
Guy Hicks, General Counsel, BellSouth

Enclosure